

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
PALMER, *et al.*, :  
:  
Plaintiffs, : 14-CV-09462 (PAC)  
:  
v. : 500 Pearl Street  
:  
CERASTES, LLC., *et al.*, : New York, New York  
:  
Defendants. : January 12, 2016  
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TRANSCRIPT OF CIVIL CAUSE FOR STATUS CONFERENCE  
BEFORE THE HONORABLE PAUL A. CROTTY  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiffs: PAUL WILLIAM VERNER, ESQ.  
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For Cerastes, LLC; Stelis, SPENCER HALL, ESQ.  
LLC; Ophrys, LLC; Oak Spencer Hall & Associates, PLLC  
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Proceedings recorded by electronic sound recording,  
transcript produced by transcription service

1 THE CLERK: Your Honor, this is the matter of Palmer  
2 v. Cerastes, et al., docket number 14-CV-09462. Counsel for  
3 plaintiff, please state your appearance again for the record.

4 MR. VERNER: Paul Verner, Verner & Simon for the  
5 plaintiffs, Your Honor.

6 THE CLERK: For defendants.

7 MR. HALL: Spencer Hall, counsel for Cerastes, LLC,  
8 Stelis, LLC, Ophrys, LLC, and Oak Harbor Capital X, LLC.

9 MR. PLOTZ: Robert Plotz for the same defendants.

10 THE COURT: Mr. Plotz. All right. Well, I  
11 thought we're -- Mr. Verner, please sit down.

12 MR. VERNER: Thank you, Your Honor.

13 THE COURT: I apologize. I misjudged on the time.  
14 I thought the hearing and the suppression of the gun in the  
15 south Bronx would have been finished by 4:00 o'clock which  
16 would have given us until 6:00. As you can tell, I missed my  
17 estimate, so I apologize for that. To be candid with you, I'm  
18 kind of pooped and so maybe we can talk about scheduling and  
19 see where we go from here.

20 MR. VERNER: Your Honor, I'm --

21 THE COURT: Mister -- let me just finish here --

22 MR. VERNER: Sure.

23 THE COURT: -- Mr. Verner.

24 Mr. Hall, your case is finished, correct?

25 MR. HALL: Yes. My opening case, yes.

1 THE COURT: Yeah. Okay.

2 Mr. Verner.

3 MR. VERNER: We had estimated about 45 minutes on  
4 Mr. Hall's motion. Then we wanted to move into our cross. I  
5 have a trial. I think I reminded the Court by letter. I'm in  
6 front of Judge Wexler starting next Tuesday.

7 THE COURT: You need --

8 MR. VERNER: Non-adjournment, one week at trial.

9 THE COURT: Yeah.

10 MR. VERNER: Other than that, I'm at your  
11 convenience, Your Honor.

12 THE COURT: Well, I mean, how much time are you  
13 going to take, Mr. Verner?

14 MR. VERNER: I don't see that we're going to spend  
15 more than 45 minutes dealing with Mr. Hall's motion. Our  
16 cross is much quicker than that. I think I've got one half-  
17 hour of direct testimony and we'd be prepared to rest. I'm  
18 sure Mr. Hall will want to cross-examine Mr. Andrews.

19 THE COURT: You think we can do it if we start it  
20 tomorrow then? Tomorrow I have a 2:00 o'clock plea in a 4:00  
21 o'clock status conference in criminal matters, which means  
22 they could start at 1:30 and go until 5:30, 6:00 o'clock.

23 MR. VERNER: I'm available, Your Honor.

24 THE COURT: Mr. Hall?

25 MR. VERNER: That'd be great.

1 MR. HALL: Yes, Your Honor.

2 THE COURT: Yeah. Okay. Well, that's what we'll  
3 do. Tomorrow we'll resume at 1:30.

4 MR. HALL: Your Honor, I'm not sure I understood  
5 you. Just to be clear, are you saying we're going to start at  
6 1:30 and run straight through until we're done or are there  
7 other proceedings tomorrow afternoon?

8 THE COURT: There's a plea at 2:00 o'clock in a  
9 criminal case. Taking the plea takes 15, 20 minutes.

10 MR. HALL: All right.

11 THE COURT: Then I have a status conference at 4:00  
12 o'clock in a multi-defendant case involving some Dominican  
13 drug dealers where they indicted 25, Mr. Hall?

14 MR. HALL: Twenty-two, Your Honor.

15 THE COURT: Twenty-two. We're now down to eight  
16 defendants. So that won't take very long because it's -- 3

17 MR. VERNER: We'll try and go fast, Your Honor.

18 THE COURT: Okay. But I can -- so two conferences I  
19 have will take about 15 minutes each and maybe you need a  
20 break, but if we start at 1:30 and go to 6:00, hopefully we  
21 can finish.

22 MR. HALL: Thank you, Your Honor.

23 MR. VERNER: Thank you, Your Honor. Appreciate the  
24 time.

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1 I certify that the foregoing is a court transcript  
2 from an electronic sound recording of the proceedings in the  
3 above-entitled matter.

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6 Ruth Ann Hager, C.E.T.\*\*D-641

7 Dated: January 18, 2016  
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